

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

KELLY NICOLE DESMOND-NEWMAN,  
Derivatively on Behalf of CEMTREX,  
INC.,

Plaintiff,

vs.

SAAGAR GOVIL, ARON GOVIL, RAJU  
PANJWANI, SUNNY PATEL, and  
METODI FILIPOV,

Defendants,

-and-

CEMTREX, INC.,

Nominal Defendant.

Lead Case No.:

2:18-cv-03992-JFB

**PLAINTIFF'S MOTION FOR  
ATTORNEYS' FEES, SERVICE  
AWARDS AND REIMBURSEMENT  
OF CASE EXPENSES**

**TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE THAT** plaintiffs Kelly Nicole Desmond-Newman and Matthias Scharf (“Plaintiffs”) will respectfully move this Court on May 22, 2019 at 1:30 pm, before the Hon. Joseph F. Bianco, for an order approving Plaintiff’s request for attorneys’ fees, service awards and reimbursement of case expenses.

This Motion is supported by the accompanying Memorandum of Law in Support of Attorneys’ Fees, Service Awards, and Reimbursement of Case Expenses, the Declaration of Thomas J. McKenna in Support of Plaintiffs’ Motion for Attorney Fees, Service Awards and Reimbursement of Expenses (“McKenna Fee Decl.”), the Declaration of Thomas J. McKenna in Support of Plaintiffs’ Unopposed Motion for Final Approval of Proposed Derivative Settlement (“McKenna Final Approval Decl.”) and the Stipulation of Settlement dated January 4, 2019 (D.E.

18), and all of the prior pleadings and proceedings herein, and such other written or oral argument as may be permitted by the Court.

Dated: May 1, 2019

Respectfully submitted,

**GAINEY McKENNA & EGLESTON**

By: /s/ Thomas J. McKenna

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*Lead Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I certify that on May 1, 2019, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the counsel of record in this matter who are registered on the CM/ECF.

*/s/ Thomas J. McKenna*